



# Austin City Council MINUTES

For OCTOBER 5, 1987 - SPECIAL CALLED MEETING - 4:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

## Memorandum To:

Mayor Cooksey called to order the special called meeting of the Council, noting the absence of Councilmember Carl-Mitchell. Mayor Pro Tem Trevino left the meeting at 6:30 p.m. due to illness.

### OLD BUSINESS - ORDINANCES

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, passed through second/third readings of ordinances amending Chapter 13-2A of the Austin City (Zoning Ordinance) to cover the following changes: (5-0 Vote, Mayor Pro Tem Trevino out of the room, Councilmember Carl-Mitchell absent)

Consider second/third readings of ordinances amending Chapter 13-2A of the Austin City (Zoning Ordinance) to cover the following changes:

- |  |   |                                 |
|--|---|---------------------------------|
| (1) HASKEL & JEAN<br>HUDSON<br>C14-85-288.16 | Wolfcreek Pass<br>and U.S. Hwy.290<br>West 6703 Wolfcreek<br>Pass | From I-"RR"<br>to "NO" & "SF-5" |
|--|---|---------------------------------|

First reading April 23, 1986, (5-1-0). Mayor Pro Tem John Trevino, Jr. absent. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

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| (2) HASKEL & JEAN<br>HUDSON<br>C14-85-288.101 | 6703 Hill Oaks<br>Drive | From I-"RR"<br>and I-"SF-2"<br>to "LR" & "NO" |
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First reading on April 16, 1986, (5-0). Mayor Pro Tem John Trevino, Jr. and Councilmember George Humphrey absent. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

- (3) HASKEL HUDSON, E.A.                      Intersection of                      From I-"RR"  
 HUDSON & ERLENE                      State Hwy. 71 and                      to "LR"  
 REYNOLDS                      U.S. Hwy. 290  
 C14-85-288.182

First reading on June 18, 1986, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

- (4) TERRY LEE NAGLE                      8600 Old Bee                      From I-"SF-2"  
 C14-87-003                      Caves Road                      to "CS"

First reading on February 26, 1987, (7-0). Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed. Right-of-way on Old Bee Caves Road has been dedicated by Street Deed.

- (5) NASH PHILLIPS/  
 COPUS                      5503-5318 McCarty                      From I-"SF-2"  
 By Bruce N. Sloan                      Lane                      to "MF-3"  
 C14-83-074 (part)

First reading on November 11, 1985, (6-0). Councilmember Sally Shipman absent. Conditions have been met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed. Development restricted to that shown on site plan attached as an exhibit to the ordinance.

#### CONSENT ORDINANCES

The Council, on Councilmember Urdy's motion, Councilmember Shipman's second, waived the requirement for three readings and finally passed the following ordinances all in one consent motion: (5-0 Vote, Mayor Pro Tem Trevino out of the room, Councilmember Carl-Mitchell absent)

#### Operating Budget Amendment

Amended the 1987-88 Annual Operating Budget by:

- a. Accepting and appropriating a grant award of \$101,506.00 from the Governor's Office of the State of Texas, Criminal Justice Division, for the Victim Assistance Program.

- b. Accepting and appropriating a grant award of \$30,039.00 from the Governor's Office of the State of Texas, Criminal Justice Division for the Prevention of Juvenile Delinquency through Crisis Intervention Program.

#### Council Meeting Cancelled

Cancelled the regular Council meeting of Thursday, October 8, 1987 and continue items scheduled to October 15, 1987.

#### CONSENT RESOLUTIONS

The Council, on Councilmember Humphrey's motion, Mayor Pro Tem Trevino's second, adopted the following resolutions in one consent motion: (6-0 Vote, Councilmember Carl-Mitchell absent)

#### Release of Easements

- a. Portions of Utility Guy Wire Easements as noted on the Plat of record in Book 4, Page 146, Travis County Plat Records and located on the East one-half (1/2) of Lot 5, Lot 6, and the West one-half of Lot 7, Tarrytown Oaks. The Public Utility Easement across the rear of the property to remain intact, 2312 Tower Drive. (Request submitted by Daniel W. Nelson on behalf of Dan Fleckman)
- b. A portion of a Public Utility Easement of record in Book 84, Page 193C, Travis County Plat Records, located on Lot 16, Block "P", Buckingham Estates, Phase IV, Section B, 802 Tinsley Trail. (Request submitted by Cary W. Kipp on behalf of Legend Homebuilders, Inc.)

#### Capital Improvements Program

##### Eminent Domain Proceedings

- a. 0.028 acre of right-of-way in fee simple out of Outlot 15, Division "B", of the Government outlots adjoining the original City of Austin, Travis County, Texas owned by J.M. Richard for the Airport Boulevard T.S.M. Project.
- b. 0.891 acre (38,802 square feet) of land in fee simple out of the Henry Rhodes Survey, Abstract No. 522 in Williamson County, Texas from Waterloo Medical Park Joint Venture for the U.S. Hwy. 183 Improvement Project.
- c. 1.233 acres of land of right-of-way in fee simple out of the Jesse Williams Survey No. 92 in Travis County, Texas from Haskel G. Hudson et ux Jeanne Hudson for the U.S. 290/ SH 71 Expansion Project.
- d. 0.017 acre of land of right-of-way in fee simple out of Outlot 15, Division "B", of the Government outlots adjoining

the original City of Austin, Travis County Texas, for the Airport Boulevard T.S.M. Project owned by Jewel Dobbins and Willie Mae Risher.

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Airport Boulevard Bridge at Boggy Creek

Approved entering into an agreement with the State Department of Highways and Public Transportation for the reconstruction of Airport Boulevard Bridge at Boggy Creek in conjunction with Boggy Creek Flood Control Project. C.I.P. Nos. 85/62-39, 86/23-32 and 86/22-38

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Item Postponed

Postponed indefinitely is consideration of approval of an agreement between the City of Austin and the Missouri Pacific Railroad Company for construction of a new railroad grade crossing and signalization in conjunction with Montopolis Drive Street and Drainage Improvements from Burleson Road to Ben White Boulevard Crossing Improvements to be located at Railroad Milepost 4.10, Engineer's Chainage Station 216 + 42, Bergstrom Spur. C.I.P. No. 85/62-27.

License Agreements

Approved entering into the following License Agreements:

Consider entering into the following License Agreements:

- a. To allow the encroachment of an 8" wastewater line into the right-of-way of the City-owned railroad located at Milepost 14.17, and establishing a fee of \$200.00 per year. (Request submitted by Kern Engineering on behalf of Calhoun Smith Distributing Company)
- b. To allow the encroachment of an overhead electric crossing of the City-owned railroad located near Milepost 68 and establishing a fee of \$200.00 per year for the line. (Request submitted by Bluebonnett Electric Cooperative, Inc.)
- c. To allow the encroachment of a natural gas pipeline into the right-of-way of the City owned railroad located at Milepost 59 and at Milepost 6, and to establish a fee of \$200.00 per year for each crossing. (Request submitted by Clajon Gas Company).

Affirmation of action of AHFC

Affirmed the action of the Austin Housing Finance Corporation to:

- (a) Select an Underwriter and authorize issuance of residual value bonds.

- b. Adopt general topic areas for first year activities to be funded with residual value bond proceeds.
- c. Adopt guidelines for use of residual value bond proceeds.
- d. Authorize issuance of \$10,000,000.00 in multifamily refunding bonds for the Watersbend Apartments Project.

#### Emergency Shelter Grant Application

Authorized submission of an Emergency Shelter Grant Application to the United States Department of Housing and Urban Development (HUD) and acceptance of the \$80,000.00 grant.

#### Supplemental Food Program, WIC

Renewed the contract with the Texas Department of Health's Special Supplemental Food Program for Women, Infants and Children (WIC) for the period of October 1, 1987 to September 30, 1988.

#### Cooperation Agreement with Westlake Hills

Authorized the execution of the Interlocal Cooperation Agreement between the City of Austin and the City of Westlake Hills.

#### Public Hearing Set

Set a public hearing on the following:

- a. To discuss the application for a Charter Bus Service Franchise from Kerrville Bus Company, Inc.: October 22, 1987 at 6:30 p.m.

#### SOUTH LAMAR IMPROVEMENTS PROJECT

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, adopted a resolution approving acquisition of two tracts of land (a 3,237 square foot tract and a 3,241 square foot tract) for the South Lamar Improvements Project. C.I.P. No. 85/62-37. (6-0 Vote, Councilmember Carl-Mitchell absent)

#### EMERGENCY SHELTER FOR HOMELESS

The Council, on Councilmember Shipman's motion, Councilmember Nofziger's second, adopted a resolution to enter into contractual agreements with private non-profit organizations for renovation and/or operation and maintenance of emergency shelter programs for the homeless under the Emergency Shelter Grants Program as recommended by staff with the exception of Item 3 which is the components that operate this shelter for families and adults in that we split the money allocated to the Salvation Army, with \$10,000 of that going to Casa Marianella and \$14,976 going to the Salvation Army and the rest following the staff recommendation. (6-0 Vote, Councilmember Carl-Mitchell absent)

## CITY OF AUSTIN ELECTRIC RATES, FY 1987-88

Council had before them for consideration an ordinance to adopt City of Austin Electric Rates for Fiscal Year 1987-88.

Lengthy discussion was held.

Motion

The Council, on Councilmember Shipman's motion, Councilmember Humphrey's second, approved working with 4 c.p. c/s models. (6-0 Vote, Councilmember Carl-Mitchell absent)

Motion to Reconsider

Councilmember Humphrey made a motion, seconded by Councilmember Urdy to reconsider. Motion passed by a vote of 5-0, Mayor Pro Tem Trevino out of the room, Councilmember Carl-Mitchell absent.

Motion - DIED FOR LACK OF SECOND

Councilmember Nofziger made a motion to reduce times coverage to 1.4. There was no second to the motion so it died.

Motion

The Council, on Councilmember Humphrey's motion, Councilmember Urdy's second, reduced times coverage 1.45 the first year; 1.475 the second year; and 1.5 the third year. (5-1 Vote, Councilmember Nofziger voted No, Councilmember Carl-Mitchell absent)

RECESS

Council recessed its meeting at 7:12 p.m. and resumed its recessed meeting at 10:00 p.m. At this point Mayor Pro Tem Trevino left the Chamber.

Motion - Withdrawn

(Councilmember Urdy took the chair)

Mayor Cooksey made a motion for a 25% movement toward cost of service in the residential class and reflect Council request #2 as follows: (Mayor Cooksey later withdrew his motion, which has been seconded by Councilmember Humphrey.)

SEE FOLLOWING PAGE

# Council Request II

Proposed Rate Change Effective  
November 1987 through October 1988  
With Fuel Refunds Included

o **System-Wide Impacts:**

Base Revenue Increase of 5 %  
Fuel Revenue Increase of 36 %  
Total Revenue Increase of 11 %

o **Total Revenue Impacts:**

	<u>BASE</u>	<u>TOTAL</u>
Residential class	11 %	17 %
General Service Non-Demand (small businesses)	8 %	14 %
General Service Demand (medium-sized businesses)	1 %	9 %
Independent School District	0 %	7 %
Primary Service	1 %	8 %
Large Primary Service (IBM, TI, AMD and Motorola)	-5 %	4 %
City Classes	2 %	8 %
Total State Purchasing and Bergstrom AFB	-28 %	-14 %

o **Resulting Relative Rates of Return ("Cost" = 100%)**

	<u>Current</u>	<u>Proposed</u>
Residential	66 %	74 %
General Service Non-Demand	83 %	88 %
General Service Demand	134 %	128 %
Independent School Districts	183 %	119 %
Primary Service	152 %	145 %
Large Primary Service	167 %	147 %
City Classes	128 %	133 %
Total State Purchasing and Bergstrom AFB	164 %	100 %

o **Resulting Cents Per kWh:**

	<u>Current</u>	<u>Proposed</u>
Residential	5.93	6.91
General Service Non-Demand	6.03	6.87
General Service Demand	6.00	6.62
Independent Schools Demand	6.15	6.61
Primary Service	5.98	6.48
Large Primary Service	5.46	5.68
City Classes	7.36	7.97
Total State Purchasing and Bergstrom AFB	5.77	4.95
<b>TOTAL SYSTEM</b>	<b>6.02</b>	<b>6.67</b>

Information based on the Electric Utility test year ended March 31, 1987 and fiscal years 1987 and 1988 fuel factors including refunds.

Motion - FAILED

Councilmember Humphrey made a motion, seconded by Councilmember Nofziger to eliminate the waste-to-energy plant. Motion FAILED by a vote of 2-3 with Councilmembers Shipman, Urdy and Mayor Cooksey voting No, Mayor Pro Tem Trevino and Councilmember Carl-Mitchell absent.

Motion - FAILED

Councilmember Humphrey made a motion, seconded by Councilmember Nofziger to delay spending money on the waste-to-energy plant for six months. Motion FAILED by a vote of 2-3 with Councilmembers Shipman and Urdy and Mayor Cooksey voting No, Mayor Pro Tem Trevino and Councilmember Carl-Mitchell absent.

Motion

The Council, on Councilmember Nofziger's motion, Councilmember Urdy's second, approved a \$3.00 customer charge for residential. 4-1 Vote, Councilmember Humphrey voted No, Mayor Pro Tem Trevino and Councilmember Carl-Mitchell absent.

Motion - DIED FOR LACK OF SECOND

Councilmember Humphrey made a motion to sell the 2,000 acres of land east of the City purchased for a coal plant. There was no second to the motion.

At this point Mayor Cooksey said it did not appear Council would come to an agreement concerning electric rates and suggested they delay further discussion and voting until the October 13 and October 15, 1987 meetings.

At that time Council will also consider Councilmember Shipman's item to approve an ordinance amending the 1987-88 Electric Utility C.I.P.

ADJOURNMENT

Council adjourned its meeting at 11:37 p.m.